

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

EMANUEL THOMAS NEWMAN,	:	CIVIL ACTION NO. 1:01-CV-0677
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
LOUIS CAPRIO and JAMES P.	:	
WHITE,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 19th day of May, 2004, upon consideration of plaintiff's motion for separation of witnesses (Doc. 108), and it appearing that several of the witnesses are presently incarcerated and will be testifying under supervision of law enforcement officials from remote locations through videoconferencing and that sequestration of these witnesses may implicate penological concerns beyond the control of the court, it is hereby ORDERED that the motion is GRANTED in part and DENIED in part as follows:

1. Nonincarcerated witnesses for plaintiff and defendants appearing in the courtroom during the course of trial shall be sequestered during the testimony of other witnesses.
2. Incarcerated witnesses for plaintiff and defendants appearing at locations suitable for videoconferencing during the course of trial shall be sequestered during the testimony of other witnesses to the extent that such sequestration is consonant with legitimate penological objectives as determined by officials at those locations.

3. Nothing herein limits the right of named parties in the above-captioned case to be present in the courtroom during the testimony of all witnesses.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge